

**PUBLIC HEARING**  
**APRIL 14, 2003**

A PUBLIC HEARING was held on Monday, April 14, 2003, at 6:26 p.m. in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, South Carolina, to solicit public comment, written or oral, in connection with the Citizens Advisory Committee Recommendations for modifications in the Magistrates Courts for Berkeley County. Any person may appear and be heard at the public hearing relating to the proposed recommendations.

Present: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mr. Dennis L. Fish, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr. Councilmember District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

The requirements of the Freedom of Information Act have been complied with by posting of the time, date, place and agenda of this Public Hearing of Berkeley County Council at the entrance of the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, published in THE HANAHAN NEWS on Wednesday, March 19, 2003, and in THE MONITOR on Friday, March 21, 2003, as evidenced by attached copy of Affidavits of Publication, and a copy of such notice was mailed to all Council Members, the News media, and other interested citizens.

Chairman Rozier called the meeting to order and stated this Public Hearing was being held to solicit public comment, written or oral in connection with the Citizens Advisory Committee Recommendations for modifications in the Magistrates Courts for Berkeley County. Any person may appear and be heard at the public hearing relating to the proposed recommendations.

Chairman Rozier indicated he would ask for a show of hands in support of the comments made. He entertained public comments at this time.

Ms. Tammy Brinson of 311 West Main Street, Moncks Corner stated she was a Landlord in Berkeley County and has over 30 pieces of rental property that she relies on solely for income. When people renege on their rent, her only alternative is the Magistrate's Office. She indicated she supports the centralization of the Magistrate's Office because it is extremely inconvenient when you have to go to some of the rural offices, especially when they are only open one business day and during the evenings. "When you're in the business time is money." Ms. Brinson stated that another great option would be to close the Jamestown Office and consolidate it with the St. Stephen Office and keeping it open during normal business hours. The Moncks Corner Office is open five days a week during normal business hours and that office runs like a well-oiled machine.

Ms. DeAnna Trout of 1108 Quinby Court, Moncks Corner indicated she served on the Magistrate's Advisory Committee and some consolidation is needed. No one can do a job effectively in 15 hours. She stated that Jamestown could be combined with St. Stephen; Carnes Cross Roads with Hanahan, Goose Creek, and Moncks Corner.

Judge Elizabeth Harper, 103 Gullidge St., Moncks Corner, stated that on behalf of the magistrates and the citizens of Berkeley County, they initially made the proposal to do a central location but has since changed their minds to encompass multiple facilities. She asked that the Committee review the formula they proposed. Also, she would recommend that they have four offices; Carnes Cross Roads, Goose Creek, St. Stephen and Moncks Corner. Judge Harper stated they were there to serve the citizens of the County, not only for rich but also, the poor.

Ms. Christine Holbert, 104 Middleton Drive, Goose Creek stated she has rental property and does not know too much about what's going on in the upper part of the County. The earlier you get to the Magistrate's Office in the morning you may get your business done that day or the next as far as getting the notices out. She indicated she was concerned that if the offices consolidated the office staff may be overloaded and it could take 2 to 4 days to get your notices out. This could result in the tenants receiving one to two months' of free rent, which could really blow the budget. Ms. Holbert stated she has a small business and if she has to come to Moncks Corner twice to take care of a single problem, she would have to take a half-day off.

Judge Ed Sessions, 1064 Dominion Drive, Hanahan stated he serves as a magistrate in the Goose Creek Office and he thinks that justice should be equal countywide. The citizen that lives in Honeyhill deserves the same amount of respect as the citizen that lives in Hanahan, St. Stephen, etc. Closing all of those offices might save a few dollars but they need to look at the overall aspect of bringing in jurors. From time to time they have to recall the jurors, and sometimes a trial last two days. Judge Sessions asked that Council consider the burden that may be placed on the citizens and other folks involved in this process. He indicated he didn't think that the current Magistrate's system was broken. They have done a good job, would continue to do a good job, and they are educated each year. He asked that they not run off and do something that they would have to come back and fix next year.

Ms. Suzanne Soles of 1496 State Road, Summerville stated she didn't like the Magistrate's System when she didn't have to use it. Since she has had to use the system on a regular basis, she has come to appreciate it. Ms. Soles stated she hoped they wouldn't close Carnes Cross Roads because she uses the system a lot and didn't want to drive to Moncks Corner. There are a lot of elderly people in her area and she would hate for them to have to come to Moncks Corner. She stated they run a towing company and she uses the system for abandoned vehicles. It is so important to have someone in the general area that knows your character and the people.

Councilmember Pinckney asked Ms. Soles would she have a problem going to Goose Creek if they closed Carnes Cross Roads?

Ms. Soles stated yes, when you consider that Carnes Cross Roads is less than a mile from her house. She stated there is currently a good mixture in the Magistrate's system as to what they handle. There are 21 towing companies in this County and they all have an abundance of abandoned vehicles to go through the process, but to answer Mr. Pinckney's question, yes, she would rather drive a mile than 10-12 miles any day.

Magistrate Perry Murray, 134 Oakside Drive, Goose Creek stated he has reviewed the proposal by the Advisory Committee and there are a few things that he strongly opposes. One is recommending that only attorneys be appointed magistrates. The senators can appoint all attorneys if they desire but don't eliminate the other professions. Also, transportation of prisoners from jail to court was addressed. The jail was built with the crosswalk for this reason and if they made any changes it would be a waste of money. Judge Murray stated the busiest office in the County excluding Central Court is Goose Creek; the next, Carnes Cross Roads, then Moncks Corner. He stated they needed to make sure they have the correct information before making any decision on this. Overall, he thinks the proposal is unsatisfactory and if Council passes any form of this "It would be the biggest fleecing of Berkeley County since Sherman and the Carpet Baggers came through."

Councilmember S. Davis asked Judge Murray would he conclude that he thinks the system is not broken and would need to stay as it is?

Judge Murray stated, "absolutely. One other ridiculous thing is the video idea of Bond hearings. That is not good for this County; it's good for Dorchester because the jails and judges are in St. George."

Councilmember S. Davis asked Judge Murray was he satisfied with the allocation of magistrates?

Judge Murray stated, "I'd rather not touch that, thank you."

Ms. Erica Fann of 526 Rectory Hill Road, Moncks Corner stated she was a Magistrate's Clerk for Berkeley County in the Goose Creek Office. She stated she strongly disagrees with the closing of the offices and changing of the current number of magistrates. Presently, that is not a problem; if the judges were in the office more often than they are now you would need more clerical staff to accommodate them. She stated they can barely keep up and when the magistrates are around they are more demanding. The problem exists with security, finance, spaces, etc. At the Moncks Corner Traffic Court, they are stacked on top of each other and that causes a lot of stress. If they go to full-time magistrates they would need a bigger building in Goose Creek as well because they would need more than the one courtroom they currently have.

Judge Paula Lewis of 102 Hedgerow, Goose Creek stated she was the magistrate at Carnes Cross Roads and agrees with Judge Sessions and Judge Murray. When the closing of the offices in the outlying areas were mentioned and that they only did 60 cases a week, there are other things to be considered besides the number of cases. She stated magistrates issue warrants on a regular basis, which was not included in the number of cases. Judge Lewis stated she was

appointed in June of 2000 and in those six months of 2000 she did 456 warrants; 2001, she did 1,167; in 2002, 2,061; and as to date 2003, 1046 warrants. If they consolidated magistrates into one building, they might not be able to hold court as often to clear the dockets unless there are enough courtrooms for everyone.

Judge Joseph Jefferson of 1375 Colonel Mayham Dr., Pineville, stated he and Judge Harper spoke earlier and he was convinced that her recommendation is the best and most feasible. He stated he would retire on May 2 from his Federal job so he could spend more time in the St. Stephen Magistrate's Office. Accountability is needed in order to serve the people adequately. If Council sees fit to have the St. Stephen Office remain open more often, he would be available.

Councilmember S. Davis asked were there citizens with rental properties in the St. Stephen area?

Judge Jefferson, replied, there are.

Councilmember S. Davis asked were there any grave reservations about citizens from Jamestown having to drive to St. Stephen if that office was closed?

Judge Jefferson stated he didn't have a problem with that but that question would probably be better served by Judge Irvin Brown who was not present at this time. By virtue of the fact that the St. Stephen Office would be available he supposes that people would be willing to make that sacrifice in travel.

Ms. Rose Hutchinson of 1261 Dixon Avenue, Hanahan stated her opposition to the proposed consolidation and reorganization of the Berkeley County Magistrate's Office comes from the sincere sentiment that the local Magistrate's Office is vital to the core of their communities. She asked should we rush to change the system that provides order to our neighborhood, a system that has served our communities so well for so long? The concern is not for government's well being but for the citizens well being. If change comes, it should come as a means to provide greater efficiency for the citizens, not the government. Efficiency for the citizens does not equate to traveling long distances to carry out routine legal matters, nor our Police Officers to process arrest warrants. Ms. Hutchinson asked that they go back to the drawing board and draft a plan based on future as well as current needs. Above all, factor in the future well being of our citizens. It is the political will of the people that makes and sustains the political will of government.

There being no further comments, the Public Hearing was declared ended at 6:55 p.m.

S/Barbara B. Austin  
Clerk of County Council

May 14, 2003  
Date Approved

## **AGENDA FOR PUBLIC HEARINGS**

Public Hearings to solicit public comment, written or oral, will be held on Monday April 14, 2003, at 6:00 p. m., or as soon thereafter as may be heard following other public hearings, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., in connection with the Citizens Advisory Committee Recommendations for modifications in the Magistrates Courts for Berkeley County. Any person may appear and be heard at the public hearing relating to the proposed recommendations. Written comments should be submitted to Berkeley County Council, 223 North Live Oak Drive, Moncks Corner, South Carolina.

CALL TO ORDER  
STATEMENT OF PURPOSE OF HEARING  
PUBLIC DISCUSSION  
ADJOURNMENT

April 9, 2003  
S/Barbara B. Austin  
Clerk of County Council